

106TH CONGRESS
2D SESSION

H. R. 3697

To provide for participation of certain Medicare-eligible individuals in
Department of Defense pharmacy programs.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2000

Mr. VITTER (for himself, Mr. CUNNINGHAM, Mr. HAYES, Mr. KUYKENDALL,
Mr. TAYLOR of Mississippi, and Mr. MORAN of Virginia) introduced the
following bill; which was referred to the Committee on Armed Services

A BILL

To provide for participation of certain Medicare-eligible
individuals in Department of Defense pharmacy programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PARTICIPATION OF MEDICARE-ELIGIBLE BENE-**
4 **FICIARIES IN CERTAIN DEPARTMENT OF DE-**
5 **FENSE PHARMACY PROGRAMS.**

6 (a) IN GENERAL.—Not later than October 1, 2000,
7 the Secretary of Defense shall—

8 (1) expand and make permanent the dem-
9 onstration project for pharmaceuticals by mail estab-
10 lished under subsection (a) of section 702 of the Na-

1 tional Defense Authorization Act for Fiscal Year
2 1993 (10 U.S.C. 1079 note) in order to permit indi-
3 viduals described in subsection (b) worldwide to ob-
4 tain pharmaceuticals through the project; and

5 (2) modify each managed health care program
6 which includes a managed care network of commu-
7 nity retail pharmacies under subsection (b) of such
8 section 702 to supply prescription pharmaceuticals
9 to the individuals described in subsection (b) of this
10 section through such network in the area covered by
11 such program.

12 (b) ELIGIBLE INDIVIDUALS.—An individual eligible
13 to obtain pharmaceuticals under this section is an
14 individual—

15 (1) who is—

16 (A) a member or former member of the
17 uniformed services described in section 1074(b)
18 of title 10, United States Code;

19 (B) a dependent of a member described in
20 subsection (a)(2)(B) or (b) of section 1076 of
21 that title; or

22 (C) a dependent of a member who died
23 while on active duty for a period of more than
24 30 days; and

1 (2) who is entitled to hospital insurance bene-
2 fits under part A of title XVIII of the Social Secu-
3 rity Act (42 U.S.C. 1395 et seq.).

4 (c) FEES AND CHARGES.—(1) Subject to paragraph
5 (2), the amount of the deductible, copayment, annual fee,
6 or other fee, if any, paid by an eligible individual described
7 in subsection (b) who obtains a pharmaceutical under this
8 section through the project referred to in subsection (a)(1)
9 or a retail pharmacy network referred to in subsection
10 (a)(2) shall not exceed the amount of the deductible copay-
11 ment, annual fee, or other fee paid by other persons for
12 such pharmaceutical through the project or the pharmacy
13 network, as the case may be.

14 (2) An eligible individual described in subsection (b)
15 shall not be charged an enrollment fee for participation
16 in the project or a retail pharmacy network under this sec-
17 tion.

18 (3) The Secretary of Defense may not establish or
19 collect any new fee or charge under the project referred
20 to in subsection (a)(1), or any retail pharmacy network
21 referred to in subsection (a)(2), by reason of the participa-
22 tion of eligible individuals described in subsection (b) in
23 the project or network under this section.

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